THE HON'BLE SRI JUSTICE P.S. NARAYANA

W.P.No.16883 of 2006

Date : 11-8-2006

Between:

P.Rajamma w/o. Krishnappa ..
Petitioner

And

1. The Government of Andhra Pradesh,
represented by its Principal Secretary,
Panchayat Raj Department,
Secretariat, Hyderabad.
2. The State Election Commissioner,
Budhabhavan, M.G. Road,
Hyderabad.
3. The District Collector (Panchayat Raj
Wing), Chittoor,
Chittoor District.
4. The Returning Officer-cum-MPDO,
Vayalpad Mandal,
Chittoor District.
5. K.Siddaiah, The Election Officer,
State-II, Madhavarampalli,
Working as Teacher, MPP School,
Papireddigaripalle, Kalakada
Mandal, Chittoor District.
6. B.Krishnamma w/o.Venkataramana,
r/o.Madavarampalli,
H/o.Sakirevupalle village,
Vayalpad Mandal,
Chittoor District. ..
Respondents

THE HON'BLE SRI JUSTICE P.S. NARAYANA

W.P.No.16883 of 2006

ORDER:

The Writ Petition is filed for a Writ of Mandamus declaring the action of the respondent in declaring the result of the office of Sarpanch of Madavaram Palli Gram Panchayat H/o. Sakirevupalli, Vayalpad Mandal, Chittoor District without conducting recounting as illegal, unjust, arbitrary and contrary to the provisions of Rules 34(3) and 35 of A.P. Gram Panchayat Rules, 1994 and consequently direct the respondents to conduct the recounting to the office of Sarpanch of Madavaram Palli Gram Panchayat and to pass such other suitable orders.

It is stated that the 2nd respondent issued notification specifying the schedule to conduct elections to various Gram Panchayats in the State on 9-7-2006. It is stated that the petitioner Gram Panchayat is reserved to B.C. (Women) candidate and the petitioner contested for Sarpanch. Several other factual details had been narrated. It is also stated that on 6-8-2006 the petitioner approached the 4th respondent but he had not taken any action and then on 10-8-2006 the petitioner approached the 3rd respondent by

giving written representation. Even on the said representation no action had been taken.

On a careful analysis of the facts which had been narrated in the affidavit filed in support of the Writ Petition, this Court is of the opinion that these aspects cannot be gone into by the writ Court. The appropriate remedy would be by way of Election Petition. Hence, liberty is given to the petitioner to approach the appropriate Election Tribunal. The Writ Petition is accordingly disposed of. No costs.

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Justice P.S. Narayana

Date : 11-8-2006

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